

## HUMAN SERVICES BOARD

# INTRODUCTION

## FINDINGS OF FACT

2. One of the boy's frames broke at the temple hinge within a few days after receipt. The frames were brought back to the optometrist who repaired the frames in house in about three days. He did not send them out for a contract repair because it would have taken seven to ten days and the boy said he had no other pair easily accessible. (His extra frames were locked in a storage unit.)

3. The other boy's frame broke in the same place a couple of months later. It too was repaired in house, this time within two days because the boy had no spare pair of glasses. The frames were not, however, picked up for several days after that.

4. The boys' father called a Medicaid hotline to complain about the quality of the glasses. He also complained that the boys could not obtain temporary glasses while theirs were being repaired. He was told at that time that Medicaid would not cover temporary eyeglasses. He appealed that policy.

5. The optometrist who filled the prescriptions testified that the Medicaid frames were of good quality and not substandard or inferior in any way. It is not unusual for glasses to break at the temple hinge, particularly those worn by active children. He does not usually loan glasses frames unless he happens to have an inexpensive pair which exactly fit the glasses. He tried to deal with the boys' need for the glasses by making the repairs quickly in house.

ORDER

The decision of the Department denying payment for loaner eyeglasses is affirmed.

REASONS

Under the Medicaid regulations, a prescription for frames and lenses may be covered every two years. M670.3. There is nothing in the Vermont Medicaid regulations authorizing payment for the rental of frames during repair periods. The Medicaid program provides only for specified medical services. The petitioner does not argue that federal Medicaid law requires the provision of such a rental service. As such, it must be concluded that the Department properly followed its regulations when it advised the petitioner that such a service is unavailable. It cannot be found on the evidence presented that the Department has provided the petitioner's sons with substandard medical equipment.

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